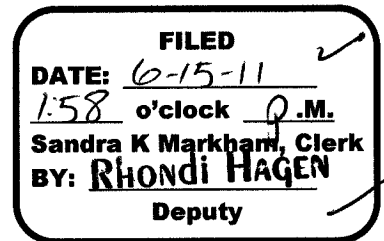


w/p

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI



DIVISION PRO TEM B

SANDRA K MARKHAM, CLERK

HON. WARREN R. DARROW

BY: R. Hagen/T. Brogdon, Deputy Clerk

CASE NO. V1300CR201080049

DATE: June 15, 2011

TITLE:  
STATE OF ARIZONA,

COUNSEL.  
Yavapai County Attorney  
By Sheila Polk  
Bill Hughes  
(Via OnBase)  
(For Plaintiff)

(Plaintiff)

v.

JAMES ARTHUR RAY,  
(Defendant)

Thomas K. Kelly  
(Via Electronic Mail)  
(For Defendant)  
and  
Luis Li/Brad Brian/Truc Do/Miriam Seifter  
MUNGER TOLLES & OLSON LLP  
(Via Electronic Mail)  
(For Defendant *Pro Hac Vice*)

HEARING ON:	NATURE OF PROCEEDINGS	COURT REPORTER
CONTINUED INSTRUCTION CONFERENCE		Mina Hunt

START TIME: 9:03 a.m.

APPEARANCES:

- Sheila Polk, Counsel for State
- Bill Hughes, Co-Counsel for State
- Detective Ross Diskin, Case Agent
- James Arthur Ray, Defendant
- Tom Kelly, Counsel for Defendant
- Luis Li, *Pro Hac Vice* Counsel for Defendant
- Truc Do, *Pro Hac Vice* Counsel for Defendant
- Miriam Seifter, *Pro Hac Vice* Counsel for Defendant

The Court and Counsel discuss forms of verdict

Counsel for the State offers substitution exhibits for exhibits marked 1018, 1019 and 1020. Defense objects and submits its version of the exhibits to the Court for consideration. Discussion ensues. State and Defense will make further redactions.

The Court and Counsel discuss final jury instructions

Counsel for Defendant moves the Court to strike specific evidence, including medical screening prior to signing the waiver. State objects. Argument ensues. **IT IS ORDERED denying** Defense's motion to strike.

Discussion regarding final jury instructions continues.

The Court instructs the Bailiff to direct the Jurors to be present at 1:15 p.m. today.

~~~Recess~~~

At 10:34 a.m. the proceeding resumes with all previously appearing parties present.

The Court addresses Counsel regarding final jury instructions. A recess is taken to allow revisions to be made to the draft.

~~~Recess~~~

At 11:08 a.m. the proceeding resumes with all previously appearing parties present.

The Court and Counsel resume discussion of final jury instructions.

The Court and Counsel discuss pending motions. The Court urges both parties that closing arguments have to be grounded. Discussion ensues.

Counsel for State advises there is a stipulation as to Exhibits 1018, 1019 and 1020. Court advises State to offer the exhibits when the Jury returns

~~~Recess~~~

At 1:37 p.m. the hearing resumes with all previously appearing parties present.

Further discussion ensues regarding final jury instructions.

**END TIME: 1:58 p.m.**

**THEREAFTER, off the record**, the Court directs the Clerk to file the proposed forms of Jury Instructions submitted by the parties.

cc. Gallagher & Kennedy, P C , Counsel for Shore Family (e)  
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)  
Stone & Magnanini, Co-Counsel Brown Family (e)  
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)  
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)  
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)  
Division PTB (e)  
Victim Services (e)  
Court Administration  
Customer Service Supervisor, Camp Verde Superior Court Building